

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
BUILDING SERVICE 32BJ HEALTH FUND,
BUILDING SERVICE 32BJ LEGAL SERVICES
FUND, BUILDING SERVICE 32BJ THOMAS
SHORTMAN TRAINING, SCHOLARSHIP AND
SAFETY FUND,

Plaintiffs,

-against-

UNION LABOR MAINTENANCE, INC. and its successors
and/or its alter egos U-L MANAGEMENT, INC.;
U-L MANAGEMENT; and John Reed,
Michael McCarthy and Paul Searfoss d/b/a
U-L MANAGEMENT

Defendants.
-----X

**AFFIDAVIT IN SUPPORT
OF MOTION**

08-CV-5022 (JSR)

STATE OF NEW YORK)
)SS.:
COUNTY OF NEW YORK)

IRA A. STURM being duly sworn, deposes and says:

1. I am a partner in the firm of Raab, Sturm, Goldman & Ganchrow, LLP., attorneys for the Building Service 32BJ Health Fund, Building Service 32BJ Legal Services Fund and Building Service 32BJ Thomas Shortman Training, Scholarship and Safety Fund, herein collectively referred to as the "Funds". This affidavit is submitted in support of the Funds' motion to provide for alternate service, including service by electronic mail, certified mail, regular first class mail and by facsimile. The information set forth herein is based upon this affiant's direct knowledge, except where stated to be upon information and belief, and as to same, it is believed to be true.
2. The underlying action is brought under the Employee Retirement Income Security Act, 29. U.S.C. § 1132 (a)(3) and 1145, (E.R.I.S.A.) by three employee benefit funds for injunctive

and other equitable relief and for breach of contract to compel a contributing employer and its successors and alter egos to pay monies owed to the Funds, which monies are used in turn to provided benefits, including medical insurance, to covered employees. (A copy of the complaint is annexed as Exhibit "A")

3. In or around March 2005 Service Employees International Union, Local 32BJ ("Union") entered into a series of collective bargaining agreements (Agreement") with a company Union Labor Maintenance, Inc. ("Union Labor"). Pursuant to the terms of the Agreement, Union Labor was required to make periodic contributions to the Funds. The contributions were to commence January 1, 2007 and continue on a monthly basis thereafter.
4. Union Labor was engaged in the business of providing janitorial cleaning and maintenance at various commercial buildings located in New Jersey .
5. The Union was provided with the address of Union Labor at 14 Kenilworth Drive, Short Hills, New Jersey 07078. (As will be shown below, this is the former residence of John Reed, a principal of Union Labor).
6. Notwithstanding the contractual obligation to pay the premiums, Union Labor never contributed to the Funds on behalf of the covered employees.
7. Prior to commencing this action, a representative of the Funds reached out by telephone to John Reed in an attempt to obtain the monies owed. The representative of the Fund learned that Mr. Reed was now operating the same business under the name U-L Management ("U-L"). Mr. Reed refused to cooperate with the Funds representative. The Union was advised that the company had changed its name to "U-L Management" and that its address was at 20 Commerce Drive, Cranford, New Jersey. (A copy of the notice is annexed hereto

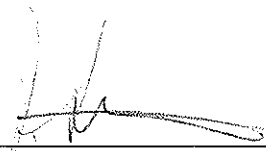
as Exhibit "B").

8. The Funds forwarded the matter for collection to this counsel, who performed a search of Union Labor and U-L. As to Union Labor, it was learned that the corporation's certificate was suspended on October 16, 2007 for failing to file annual reports for two consecutive years. (Annexed hereto as Exhibit "C" is a report generated by the New Jersey State Business Gateway Service). The report identified two additional addresses for Union Labor and its agent John Reed. The addresses are: 265 Crawford Terrace, Union, New Jersey, 07083 and 20 Commerce Drive, Cranford, New Jersey 07016. The document further identified 14 Kenilworth Drive, Short Hills, New Jersey as the address of president John Reed. The Funds also were able to locate an address which was believed to be the home address of defendant Searfoss, at 546 Plainfield Avenue, Berkeley Heights, New Jersey.
9. A search of New Jersey corporations was performed of "U-L Management". No Corporation was found registered in New Jersey having this name. However, a website was located for U-L Management (without an Inc.), which site established that U-L Management performed the same commercial building cleaning services as Union Labor and that John Reed was one of the persons involved in the company. (Annexed hereto as Exhibit "D" are printouts from the website. The printouts are dark and difficult to read but may be viewed by going to www.ulmanagement.com. The Court may note that Mr. McCarthy's name has been removed from the website).
10. A further search of the web, identified a company U-L Management, Inc. ("U-L", Inc.), with a link to aforescribed website of U-L Management. No other sources could be found to identify an existing corporate entity named U-L Management, Inc.

11. The summons and complaint were sent to a process service, Samserve, Inc., which company attempted to serve each of the named defendants (except McCarthy).
12. Regarding the attempted service at 265 Crawford Terrace, no such address exists. Samserve performed a postal service search. The results of the search established that there was no number "265" on Crawford Terrace in Union, New Jersey. (Annexed hereto as Exhibit "E" are the affidavits of attempted service at 265 Crawford Terrace.)
13. When service was attempted at 20 Commerce Drive, the process server was advised that the address was merely a mailing address for U-L Management, and that the company did not maintain an office at the site. (Annexed hereto as Exhibit "F" are affidavits of attempted service at 20 Commerce Drive). This is notwithstanding the fact that U-L Management holds itself out as having an address at this location (See Exhibit "B").
14. When service was attempted at at 546 Berkeley Avenue, Berkeley Heights, New Jersey 04922, the process server observed that the home was vacant and for sale. (Annexed hereto as Exhibit "G" are the affidavits of attempted service at 546 Berkeley Heights.)
15. One of my partners attempted try to serve the defendants at the 14 Kenilworth Drive, in Short Hills Jersey. Copies of the summons and complaint were left for all of the defendants (exclusive of McCarthy) and copies mailed the following day. However, the home appeared to be vacant and under construction or renovation. (Annexed hereto as Exhibit "H" are the affidavit and affirmation of attempted service for 14 Kenilworth Drive.)
16. This affiant has attempted to confirm that the two properties (14 Kenilworth Drive and 546 Plainfield Avenue) are for sale. Annexed hereto as Exhibit "I" are documents downloaded from the internet showing that both the 14 Kenilworth and 546 Berkeley properties are on

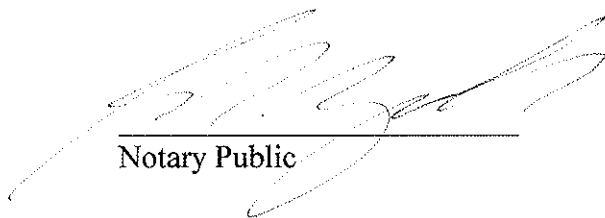
the market.

17. Defendant McCarthy, through an attorney, reached out to this affiant advising that he received a copy of the complaint, but that McCarthy was not a principal of any of the entities sued. This affiant agreed to hold off serving McCarthy while a further investigation into his status was performed.
18. In addition to the above, each named defendant was sent Notices of the Lawsuit and Request for Waiver of Service of Summons forms by first class mail. No responses were received to these requests.
19. Based upon the above, it is apparent that each of the Defendants is aware of and on notice of the instant action. It is further apparent that each of the Defendants is engaging in conduct to avoid being personally served with the summons and complaint.
20. As more fully argued in the accompanying Memorandum of Law, the Funds respectfully request that the Court enter an order for alternate service wherein service shall be deemed sufficient by allowing the Funds to serve each defendant by transmitting copies of the summons and complaint to U-L Management's website at www.ulmanagement.com, by sending copies addressed to each defendant to U-L Management's facsimile number (908)272-7499 and by mailing by certified mail return receipt requested and by regular first class mail to each defendant at 265 Crawford Terrace, Union, New Jersey 07083, 14 Kenilworth Drive, Short Hills, New Jersey 07078, 546 Plainfield Avenue, Berkeley Heights, New Jersey, 07922 and 20 Commerce Drive, Cranford, New Jersey 07016, and that the Court further order that service be deemed completed as of the day following the services described above. (A copy of the proposed order is annexed hereto as Exhibit "J".)



Ira A. Sturm

Sworn to before me this
18th day of July, 2008



Notary Public

BRENDA ZAMBOLI
Notary Public, State of New York
No. 4925037
Qualified in Westchester County
Commission Expires April 4, 2010

JUDGE RAKOFF

08 CV 5022

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

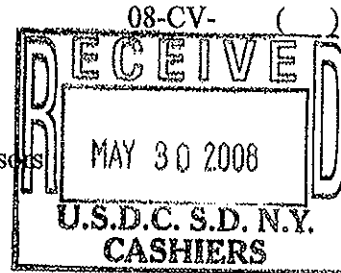
-----X
BUILDING SERVICE 32BJ HEALTH FUND,
BUILDING SERVICE 32BJ LEGAL SERVICES
FUND, BUILDING SERVICE 32BJ THOMAS
SHORTMAN TRAINING, SCHOLARSHIP AND
SAFETY FUND,

COMPLAINT

Plaintiffs,

-against-

UNION LABOR MAINTENANCE, INC. and its successors
and/or its alter egos U-L MANAGEMENT, INC.;
U-L MANAGEMENT; and John Reed,
Michael McCarthy and Paul Searfoss d/b/a
U-L MANAGEMENT



Defendants.
-----X

Plaintiffs, Building Service 32BJ Health Fund ("Health Fund"); Building Service 32BJ Legal Services Fund ("Legal Fund"); and Building Service 32BJ Thomas Shortman Training, Scholarship and Safety Fund ("Training Fund"), herein collectively referred to as the "Funds," by their attorneys Raab, Sturm, Goldman & Ganchrow, LLP, as and for their Complaint against UNION LABOR MAINTENANCE, INC. ("UNION LABOR") and its successors and/or alter egos U-L MANAGEMENT, INC. ("U-L Inc."), U-L MANAGEMENT ("U-L") and John Reed, Michael McCarthy and Paul Searfoss d/b/a U-L MANAGEMENT ("U-L Partnership"), herein collectively referred to as "Defendants", respectfully allege as follows:

NATURE OF ACTION

1. This is a civil action brought pursuant to Sections 502(a)(3) and 515 of the

Employee Retirement Income Security Act, as amended (29 U.S.C. §§ 1132(a)(3), 1145), (hereinafter referred to as “ERISA”) and Section 301 of the Labor-Management Relations Act of 1947 (29 U.S.C. § 185) (hereinafter referred to as the “Taft-Hartley Act”), by an employee welfare benefit fund, an employee pre-paid legal services benefit fund, and an employee training, scholarship and safety benefit fund, for injunctive and other equitable relief under ERISA and for breach of contract to secure performance by an employer of specific statutory and contractual obligations to pay and/or submit the required monetary contributions and reports to the Funds and to permit and cooperate in the conduct of audits of the books and records of Defendants and as parties contractually bound by the collective bargaining agreements (as hereinafter defined) by the Funds and/or their designated representatives. This Complaint alleges that by failing, refusing or neglecting to pay and submit the required monetary contributions and/or reports to the Funds when due, Defendants violated their collective bargaining agreements, and the respective trust agreements of the Funds, and ERISA.

JURISDICTION

2. Jurisdiction of this Court is invoked under the following statutes:
 - (a) Section 502(e)(1) and (f) of ERISA (29 U.S.C. § 1132(e)(1) and (f));
 - (b) Section 301 of the Taft-Hartley Act (29 U.S.C. Section 185);
 - (c) 28 U.S.C. Section 1331 (federal question); and
 - (d) 28 U.S.C. Section 1337 (civil actions arising under an Act of Congress regulating commerce).

VENUE

3. Venue properly lies in this district under Section 502(e)(2) of ERISA (29 U.S.C. § 1132 (e)(2)). Service of process may be made on Defendants in any other district in which they

may be found, pursuant to Section 502(e)(2) of ERISA (29 U.S.C. § 1132(6)(2)).

PARTIES

4. The Funds are jointly-administered, multi-employer, labor-management trust Funds established and maintained pursuant to various collective bargaining agreements in accordance with Section 302(c)(5) of the Taft-Hartley Act (29 U.S.C. § 186(c)(5)). The Funds are employee benefit plans within the meaning of Sections 3(2), 3(3) and 502(d)(1) of ERISA (29 U.S.C. § 1002(2),(3), and 1132(d)(1)), and multi-employer plans within the meaning of Sections 3(37) and 515 of ERISA (29 U.S.C. §§ 1002(37) and 1145). The Funds are authorized to maintain suit as independent legal entities under Section 502(d)(1) of ERISA (29 U.S.C. § 1132(d)(1)). The purpose of the Funds is to receive contributions from employers who are parties to collective bargaining agreements with Service Employees International Union, Local 32BJ ("Union"), to invest and maintain those monies, and to distribute health and insurance benefits, and pre-paid legal services and training, scholarship and safety benefits to those employees eligible to receive them. The Funds maintain their offices and are administered at 101 Avenue of the Americas, New York, New York 10013, in the City, County, and State of New York.

5. The Union is a labor organization within the meaning of Section 301 of the Taft-Hartley Act (29 U.S.C. § 185) which represents employees in an industry affecting commerce as defined in Section 501 of the Taft-Hartley Act (29 U.S.C. § 142) and Section 3(4) of ERISA (29 U.S.C. § 1002(4)). The Union maintains its offices and is administered at 101 Avenue of the Americas, New York, New York 10013, in the City, County, and State of New York.

6. A) Upon information and belief, at all times material hereto "Union Labor" was a for-profit New Jersey corporation doing business in various states of the United States, including

the State of New Jersey, as an employer within the meaning of Sections 3(5) and 515 of ERISA (29 U.S.C. §§ 1002(5) and 1145), and was an employer in an industry affecting commerce within the meaning of Section 301 of the Taft-Hartley Act (29 U.S.C. § 185). Further, upon information and belief, "Union Labor" is party to a collective bargaining agreement (hereinafter the "Agreement") with the Union wherein, *inter alia*, "Union Labor" became obligated to pay and/or submit the required monetary contributions and/or reports to the Funds, for "Union Labor's" employees within the unit set forth in the Agreement with Union. Further, upon information and belief, on or about October 16, 2007, "Union Labor's" certification as a New Jersey Corporation was revoked for not filing the required annual report for two consecutive years.

6. B) Upon information and belief, at all times material hereto "U-L" and "U-L, Inc." were and continue to be for-profit New Jersey corporations doing business in various states of the United States, including the State of New Jersey, as an employer within the meaning of Sections 3(5) and 515 of ERISA (29 U.S.C. §§ 1002(5) and 1145), and were and are an employer in an industry affecting commerce within the meaning of Section 301 of the Taft-Hartley Act (29 U.S.C. § 185). Further, upon information and belief, "U-L" and "U-L, Inc." as successors to and/or alter egos of "Union Labor", were party to a collective bargaining agreement (hereinafter the "Agreement") with the Union wherein, *inter alia*, "U-L" and "U-L, Inc.", as successors to and/or alter egos of "Union Labor", became obligated to pay and/or submit the required monetary contributions and/or reports to the Funds, for "U-L's" and "U-L, Inc.'s" employees within the unit set forth in the Agreement with Union.

6. C) Upon information and belief, at all times material hereto John Reed, Michael McCarthy and Paul Searfoss have held themselves out as doing business under the name "U-L Management" and therefore are and continue to constitute a partnership doing business in

various states of the United States, including the State of New Jersey, as an employer within the meaning of Sections 3(5) and 515 of ERISA (29 U.S.C. §§ 1002(5) and 1145), and were and are an employer in an industry affecting commerce within the meaning of Section 301 of the Taft-Hartley Act (29 U.S.C. § 185). Further, upon information and belief, as successor to and/or alter ego of "Union Labor" they are party to a collective bargaining agreement (hereinafter the "Agreement") with the Union wherein, *inter alia*, "U-L Partnership" became obligated to pay and/or submit the required monetary contributions and/or reports to the Funds, for "U-L Partnership's" employees within the unit set forth in the Agreement with Union.

6. D) Upon information and belief "Union Labor", "U-L, Inc.", "U-L" and "U-L Partnership" are a "single employer" and/or a "joint-employer" as they constitute a single integrated employer employing the employees employed under the Agreement with the Union and they all possess the power to control the employees represented by the Union under the above described Agreement.

6. E) Upon information and belief "Union Labor", "U-L, Inc.", "U-L" and "U-L Partnership" are alter egos of each other as they share a common ownership and management, have a common business purpose, have the identical operations and supervision, utilize the same equipment and premises, have identical customers, and were created, at least in part, to avoid responsibilities under the collective bargaining agreement with the Union.

AS AND FOR A FIRST CLAIM FOR RELIEF

(FUNDS' CLAIM FOR BREACH OF CONTRACT BY DEFENDANTS)

7. The Funds repeat and reallege each and every allegation contained in paragraphs 1 through 6 of this Complaint, as if fully set forth herein.

8. Pursuant to the Agreement, there became due and owing to Funds from

Defendants benefit contributions for the period from January 1, 2007 to December 31, 2007.

9. The Defendants are delinquent in their monthly contributions owed to the Funds and since January 2007 none of the contributions contractually due to the Funds has been paid by the Defendants, although all contributions have been duly demanded and the Funds have been damaged in the amount of \$86,299.68.

10. The failure, refusal or neglect of Defendants to make the required contributions to the Funds constitutes a violation of the Agreement between Defendants and the Union with respect to which the Funds are third-party beneficiaries.

11. Accordingly, Defendants are jointly and severally liable to the Funds for benefit contributions in the amount due for the period set forth above, plus such other or further amounts as will be found due and owing pursuant to a further audit of Defendants' books and records for the period January 1, 2007 to December 31, 2007, plus such further amounts as may become due to the date judgment is issued and that remain unpaid by Defendants.

AS AND FOR A SECOND CLAIM FOR RELIEF

**(FUNDS' CLAIM FOR BREACH OF E.R.I.S.A.
OBLIGATIONS BY DEFENDANTS)**

12. The Funds repeat and reallege each and every allegation contained in paragraphs 1 through 11 of this Complaint, as if fully set forth herein.

13. Section 515 of E.R.I.S.A. (29 U.S.C. § 1145) requires employers to pay benefit contributions in accordance with the terms and conditions of collective bargaining agreements.

14. Upon information and belief, at all times material hereto, Defendants failed to pay or timely pay and/or submit the required monetary contributions and/or reports to the Funds when due. Such failure to make payment or timely payment and/or submit reports constitutes a violation of Section 515 of E.R.I.S.A. (29 U.S.C. § 1145).

15. Section 502 of E.R.I.S.A. (29 U.S.C. § 1132) provides that, upon a finding of an employer violation of Section 515 of E.R.I.S.A. (29 U.S.C. § 1145), the Court shall award to the plaintiff, the unpaid benefit contributions, plus statutory damages (liquidated damages) and interest on the unpaid principal both computed at the rate provided for under the Funds' plan or, if none, as set forth in the United States Internal Revenue Code (29 U.S.C. § 6621), together with reasonable attorneys' fees and costs and disbursements incurred in the action.

16. Accordingly, Defendants are liable to the Funds for the payment and/or submission of the required monetary contributions and/or reports to the Funds as aforesaid, and are liable for the additional amount of said statutory damages (liquidated damages), together with reasonable attorneys' fees, interest on the unpaid principal, costs and disbursements incurred in this action, pursuant to Section 502 of E.R.I.S.A. (29 U.S.C. § 1132).

AS AND FOR A THIRD CLAIM FOR RELIEF
(FUNDS' DEMAND FOR AN ORDER DIRECTING
DEFENDANTS TO PERMIT AN AUDIT OF
DEFENDANTS' BOOKS AND RECORDS)

17. The Funds repeat and reallege each and every allegation contained in paragraphs 1 through 16 of this Complaint, as if fully set forth herein.

18. Defendants are obligated, pursuant to the terms of the Agreement, to permit and cooperate in the conduct of audits of the books and records of Defendants by the Funds.

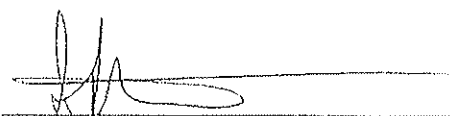
19. Accordingly, pursuant to the terms and conditions of the Agreement, the Funds demand an order directing Defendants to permit and cooperate with the Funds and/or their designated representatives in the conduct of the aforesaid audit of Defendants' books and records.

WHEREFORE, plaintiff Funds demand judgment:

- a. against Defendant, jointly and January 1, 2007 to December 31, 2007.
- b. against Defendants, jointly and severally, for payment of all contributions which become due during the pendency of this action;
- c. against Defendants, jointly and severally, for accrued prejudgment interest on all contributions in accordance with E.R.I.S.A. § 502 (g)(2);
- d. against Defendants, jointly and severally, for statutory damages on all contributions now due and which accrue during the pendency of this action, reasonable attorneys' fees and costs and disbursements in accordance with E.R.I.S.A. § 502(g)(2);
- e. against Defendants, jointly and severally, for contractual damages on all contributions now due and which accrue during the pendency of this action, reasonable attorneys' fees and costs and disbursements.
- f. for an Order requiring Defendants, jointly and severally, to permit and cooperate in the conduct of an audit of the books and records of Defendants, for the period January 1, 2007 to date, by the Funds;
- g. for such other and further relief as the Court deems just and proper.

Dated: New York, New York
May 28, 2008

RAAB, STURM, GOLDMAN & GANCHROW, LLP

By: 
Ira A. Sturm (IS-2042)
Attorneys for Plaintiffs Funds
317 Madison Avenue, Suite 1708
New York, New York 10017
(Tel.) 212-683-6699
(Fax) 212-779-8596

UNION LABOR

Landscaping • Snow Plowing • Demolition • Construction • Cleaning • General Maintenance • Shuttle • Courier

June 21, 2007

RE: Company Name Change

TO: Dan Wilson

U-L MANAGEMENT

Samuel M. Reed
EXECUTIVE VICE PRESIDENT

20 Commerce Drive Cranford, NJ 07016
908.272.8044 Phone 908.447.6836 Mobile 908.272.7499 Fax
www.ulmanagement.com

If you have any questions, please do not hesitate to contact me.

Sincerely,

Samuel M. Reed
Vice President

20 Commerce Drive Cranford, NJ 07016
908.272.8044 Phone • 908.272.7499 Fax



New Jersey State Business Gateway Services

Corporate and Business Information Reporting

Business Entity Status Report

Printing Instructions: Open your Browser's Page Setup menu and set your page margins to 0.25". Use your Browser's Print option to print the report as seen on screen.

Saving Instructions: Save this file to your hard drive for later viewing by using the Browser's "Save As"

All available information is displayed.

Status Report For: UNION LABOR MAINTENANCE INC.

Business Name: UNION LABOR
MAINTENANCE INC.

Report Date: 05/19/

Business ID Number: 0100844893

Transaction Number: Sequence: 130850

Business Type: DOMESTIC PROFIT CORPORATION

Status: REVOKED FOR NOT FILING ANNUAL REPORT FOR 2
CONSECUTIVE YEARS

Filing Date: 03/14/2001

Home Jurisdiction: NJ

Status Change Date:

Stock Amount: 1000

DOR Suspension Start Date: 10/16/2007

DOR Suspension End Date:

Tax Suspension Start Date:

Tax Suspension End Date:

Annual Report Month: 3

Last Annual Report Filed: 12/02/2005

For Last Annual Report Paid Year: 2004

Incorporator: JOHN REED

Agent: JOHN REED

Agent Address: 265 CRAWFORD TERR

UNION, NJ 07083

Office Address Status: Undeliverable

Main Business Address: 20 COMMERCE DRIVE

CRANFORD, NJ 07016

Principal Business Address:

Associated Names

Name:

Type Description:

Officers/Directors/Members

1) **Title:** **PRESIDENT**
Name: **JOHN REED**
Address: **14 KENILWORTH DR**
 SHORT HILLS, NJ 07078

[Exit](#)[Return to Main List](#)

**If you would like to receive photocopies of documents filed by this business entity, mail your request to Trenton, NJ 08625. Indicate the Business Entity Number(s) involved and the type of document you wish to receive. Your choices are listed below:

CHARTER DOCUMENTS

Original Certificate Only (For example, Certificate of Incorporation);

Changes and Amendments to the Original Certificate Only; **OR**

All Charter Documents (Original Certificate and Changes/Amendments)

And/or

ANNUAL REPORTS

Copy of Latest Annual Report; **OR**

Copy of Annual Report for a Specific Year(s) (List the Year Desired)

The photocopy fee for all entities except limited liability companies is \$1 per page. For limited liability companies, for the first page and \$2 per page thereafter.

The total fee amount for your order will vary depending on the number of pages associated with each file you request. You may supply us with a check with a NOT TO EXCEED instruction to cover the costs. Make payable to the Treasurer, State of New Jersey. Alternately, you may pay by credit card (provide card#/exp. date and cardholder information) or depository account. Please include a self-addressed envelope with your order. If you have any questions or would like information on alternative service options such as over-the-counter expedited service, call 609-292-9292 (option 3 on the main menu and then option 8), weekdays, 8:30 a.m. to 4:30 p.m.

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BUILDING SERVICE 32BJ HEALTH FUND, BUILDING
SERVICE 32BJ LEGAL SERVICE 32BJ THOMAS SHORTMAN
TRAINING, SCHOLARSHIP AND SAFETY FUND,

Plaintiffs,

Atty : RAAB
Index # 08 CV 5022
AFFIDAVIT OF ATTEMPT

-against-

UNION LABOR MAINTENANCE, INC. and its successors
And/or its alter egos U-L MANAGEMENT, INC.;
U-L MANAGEMENT; and John Reed, Michael McCarthy
And Paul Searfoss d/b/a U-L MANAGEMENT,

Defendants.

STATE OF NEW YORK
COUNTY OF KINGS

JOHN TRUPPO, residing in UNION COUNTY, being duly sworn, deposes and states that I
am over the age of eighteen years, is not a party to this action, and has personal and firsthand
knowledge of all matters stated herein.

That on the 1ST JULY, 2008, at 10:00 am, I attempted to serve a
X SUMMONS IN A CIVIL ACTION with index#/ date endorsed thereon on
PAUL SEARFOSS, at the defendants' last known place of business located at
265 CRAWFORD TERR, UNION, N.J. 07083.
Upon visiting said premises the following transpired:

ON JULY 1ST 2008 AT APPROXIMATELY 10:00 AM, I ATTEMPTED TO VISIT THE
ABOVE MENTIONED ADDRESS ONLY TO FIND THAT IT DID NOT EXIST. NO
FURTHER INFORMATION IS AVAILABLE.

Sworn to before me this
14TH day of July, 2008.

Marilyn J. Truppo

MARILYN J. TRUPPO
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 11/5/2009

John A. Truppo

07/15/2008 15:44 9088108613

AMERICAN EXPEDITING

PAGE 13

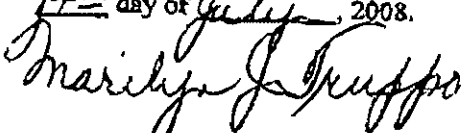
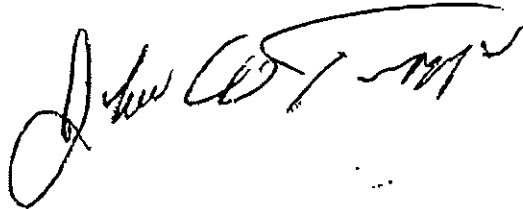
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKBUILDING SERVICE 32BJ HEALTH FUND, BUILDING
SERVICE 32BJ LEGAL SERVICE 32BJ THOMAS SHORTMAN
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Plaintiffs,

-against-

Atty: RAAB
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And/or its alter egos U-L MANAGEMENT, INC.;
U-L MANAGEMENT; and John Reed, Michael McCarthy
And Paul Scarfoss d/b/a U-L MANAGEMENT.

Defendants.

STATE OF NEW YORK
COUNTY OF KINGS_JOHN TRUPPO_ residing in _UNION_ COUNTY, being duly sworn, deposes and states that I
am over the age of eighteen years, is not a party to this action, and has personal and firsthand
knowledge of all matters stated herein.That on the 1st JULY, 2008, at 10:00 am, I attempted to serve a
X SUMMONS IN A CIVIL ACTION _ with index# / date endorsed thereon on
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FURTHER INFORMATION IS AVAILABLE.Sworn to before me this
14th day of July, 2008.MARILYN J. TRUPPO
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 11/5/2009

T-454 P005/016 F-293

7188755577

T-471 P012/015 F-329

7188755577

07-17-08 10:50 FROM-SAMSERV, INC

07-17-08 10:50 FROM-SAMSERV, INC

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
BUILDING SERVICE 32BJ HEALTH FUND, BUILDING
SERVICE 32BJ LEGAL SERVICE 32BJ THOMAS SHORTMAN
TRAINING, SCHOLARSHIP AND SAFETY FUND,

Plaintiffs,

Atty : RAAB

Index # 08 CV 5022

AFFIDAVIT OF ATTEMPT

-against-

UNION LABOR MAINTENANCE, INC. and its successors
And/or its alter egos U-L MANAGEMENT, INC.;
U-L MANAGEMENT; and John Reed, Michael McCarthy
And Paul Searfoss d/b/a U-L MANAGEMENT,

Defendants.

-----X
STATE OF NEW YORK
COUNTY OF KINGS

JOHN TRUPPO residing in _UNION_ COUNTY, being duly sworn, deposes and states that I
am over the age of eighteen years, is not a party to this action, and has personal and firsthand
knowledge of all matters stated herein.

That on the _1ST_ JULY, 2008, at _10:00_ am, I attempted to serve a
X SUMMONS IN A CIVIL ACTION_ with index#/ date endorsed thereon on
U-L MANAGEMENT, at the defendants' last known place of business located at
265 CRAWFORD TERR, UNION, N.J. 07083.
Upon visiting said premises the following transpired:

ON JULY 1ST 2008 AT APPROXIMATELY 10:00 AM, I ATTEMPTED TO VISIT THE
ABOVE MENTIONED ADDRESS ONLY TO FIND THAT IT DID NOT EXIST. NO
FURTHER INFORMATION IS AVAILABLE.

Sworn to before me this
14TH day of _July_, 2008.

Marilyn J. Truppo

MARILYN J. TRUPPO
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 11/5/2009

John Reed

07/15/2008 16:44 9088108613

AMERICAN EXPEDITING

PAGE 15

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
 BUILDING SERVICE 32BJ HEALTH FUND, BUILDING
 SERVICE 32BJ LEGAL SERVICE 32BJ THOMAS SHORTMAN
 TRAINING, SCHOLARSHIP AND SAFETY FUND,

Plaintiffs,

Atty : RAAB
 Index # 08 CV 5022
 AFFIDAVIT OF ATTEMPT

-against-

UNION LABOR MAINTENANCE, INC. and its successors
 And/or its alter egos U-L MANAGEMENT, INC.;
 U-L MANAGEMENT; and John Reed, Michael McCarthy
 And Paul Scarfoss d/b/a U-L MANAGEMENT,

Defendants.

-----X
 STATE OF NEW YORK
 COUNTY OF KINGS

JOHN TRUPPO residing in _UNION_ COUNTY, being duly sworn, deposes and states that I
 am over the age of eighteen years, is not a party to this action, and has personal and firsthand
 knowledge of all matters stated herein.

That on the _1ST_ JULY, 2008, at _10:00_ am, I attempted to serve a
 X SUMMONS IN A CIVIL ACTION _with index#/ date endorsed thereon on
 U-L MANAGEMENT, INC., at the defendants' last known place of business located at
 265 CRAWFORD TERR., UNION, N.J. 07083
 Upon visiting said premises the following transpired:

ON JULY 1ST 2008 AT APPROXIMATELY 10:00 AM, I ATTEMPTED TO VISIT THE
 ABOVE MENTIONED ADDRESS ONLY TO FIND THAT IT DID NOT EXIST. NO
 FURTHER INFORMATION IS AVAILABLE.

Sworn to before me this
 1ST day of July, 2008.

Marilyn J. Truppo

MARILYN J. TRUPPO
 NOTARY PUBLIC OF NEW JERSEY
 Commission Expires 11/5/2009

John Reed

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
 BUILDING SERVICE 32BJ HEALTH FUND, BUILDING
 SERVICE 32BJ LEGAL SERVICE 32BJ THOMAS SHORTMAN
 TRAINING, SCHOLARSHIP AND SAFETY FUND.

Plaintiffs,

Atty : RAAB
 Index # 08 CV 5022
 AFFIDAVIT OF ATTEMPT

-against-

UNION LABOR MAINTENANCE, INC. and its successors
 And/or its alter egos U-L MANAGEMENT, INC.;
 U-L MANAGEMENT; and John Reed, Michael McCarthy
 And Paul Searfoss d/b/a U-L MANAGEMENT.

Defendants.

-----X
 STATE OF NEW YORK
 COUNTY OF KINGS

JOHN TRUPPO, residing in UNION COUNTY, being duly sworn, deposes and states that I
 am over the age of eighteen years, is not a party to this action, and has personal and firsthand
 knowledge of all matters stated herein.

That on the 1ST JULY, 2008, at 10:00 am, I attempted to serve a
X SUMMONS IN A CIVIL ACTION with index#/ date endorsed thereon on
UNION LABOR MAINTENANCE, INC., at the defendants' last known place of business located
 at 265 CRAWFORD TERR., UNION, N.J. 07083.
 Upon visiting said premises the following transpired:

ON JULY 1ST 2008 AT APPROXIMATELY 10:00 AM, I ATTEMPTED TO VISIT THE
 ABOVE MENTIONED ADDRESS ONLY TO FIND THAT IT DID NOT EXIST. NO
 FURTHER INFORMATION IS AVAILABLE.

Sworn to before me this
1ST day of July, 2008.

Marilyn J. Truppo

J. W. [Signature]

MARILYN J. TRUPPO
 NOTARY PUBLIC OF NEW JERSEY
 Commission Expires 11/5/2009

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BUILDING SERVICE 32BJ HEALTH FUND, BUILDING
SERVICE 32BJ LEGAL SERVICE 32BJ THOMAS SHORTMAN
TRAINING, SCHOLARSHIP AND SAFETY FUND,

Plaintiffs,

-against-

UNION LABOR MAINTENANCE, INC. and its successors
And/or its alter egos U-L MANAGEMENT, INC.;
U-L MANAGEMENT; and John Reed, Michael McCarthy
And Paul Searfoss d/b/a U-L MANAGEMENT,

Defendants.

Atty : RAAB
Index # 08 CV 5022
AFFIDAVIT OF ATTEMPT

STATE OF NEW YORK
COUNTY OF KINGS

JOHN TRUPPO, residing in UNION COUNTY, being duly sworn, deposes and states that I
am over the age of eighteen years, is not a party to this action, and has personal and firsthand
knowledge of all matters stated herein.

That on the 2ND JULY, 2008, at 10:30 am, I attempted to serve a
X SUMMONS IN A CIVIL ACTION with index#/ date endorsed thereon on
PAUL SEARFOSS, at the defendants' last known place of business located at
20 COMMERCE DRIVE, CRANFORD, NJ 07016
Upon visiting said premises the following transpired:

ON JULY 2ND 2008 AT APPROXIMATELY 10:30 AM, I VISITED THE ABOVE
MENTIONED ADDRESS WHERE I FOUND A MAIL BOX SERVICE ONLY AS THERE IS
NO PHYSICAL PRESENCE IN THE BUILDING. NO FURTHER INFORMATION IS
AVAILABLE.

Sworn to before me this
17TH day of July, 2008.

Marilyn J. Truppo

MARILYN J. TRUPPO
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 11/5/2009

John Reed

07/15/2008 16:44 9088108613

AMERICAN EXPEDITING

PAGE 08

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BUILDING SERVICE 32BJ HEALTH FUND, BUILDING
SERVICE 32BJ LEGAL SERVICE 32BJ THOMAS SHORTMAN
TRAINING, SCHOLARSHIP AND SAFETY FUND,

Plaintiffs,

-against-

UNION LABOR MAINTENANCE, INC. and its successors
And/or its alter egos U-L MANAGEMENT, INC.;
U-L MANAGEMENT; and John Reed, Michael McCarthy
And Paul Scarfoss d/b/a U-L MANAGEMENT,

Defendants.

Atty : RAAB
Index # 08 CV 5022
AFFIDAVIT OF ATTEMPT

STATE OF NEW YORK
COUNTY OF KINGS

JOHN TRUPPO residing in UNION COUNTY, being duly sworn, deposes and states that I
am over the age of eighteen years, is not a party to this action, and has personal and firsthand
knowledge of all matters stated herein.

That on the 2ND JULY, 2008, at 10:30 am, I attempted to serve a
X SUMMONS IN A CIVIL ACTION with index#/ date endorsed thereon on
JOHN REED, at the defendants' last known place of business located at
20 COMMERCE DRIVE, CRANFORD, NJ 07016.
Upon visiting said premises the following transpired:

ON JULY 2ND 2008 AT APPROXIMATELY 10:30 AM, I VISITED THE ABOVE
MENTIONED ADDRESS WHERE I FOUND A MAIL BOX SERVICE ONLY AS THERE IS
NO PHYSICAL PRESENCE IN THE BUILDING. NO FURTHER INFORMATION IS
AVAILABLE.

Sworn to before me this
14TH day of July, 2008.

Marilyn J. Truppo

MARILYN J. TRUPPO
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 11/5/2009

[Signature]

T-454 P010/016 F-293

7188755577

07-14-'08 16:53 FROM-SAMSERV, INC

T-471 P007/015 F-329

7188755577

07-17-'08 10:49 FROM-SAMSERV, INC

07/15/2008 16:44 9088108613

AMERICAN EXPEDITING

PAGE 09

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKBUILDING SERVICE 32BJ HEALTH FUND, BUILDING
SERVICE 32BJ LEGAL SERVICE 32BJ THOMAS SHORTMAN
TRAINING, SCHOLARSHIP AND SAFETY FUND, X

Plaintiffs,

Atty: RAAB

Index # 08 CV 5022

AFFIDAVIT OF ATTEMPT

-against-

UNION LABOR MAINTENANCE, INC. and its successors
And/or its alter egos U-L MANAGEMENT, INC.;
U-L MANAGEMENT; and John Reed, Michael McCarthy
And Paul Searfoss d/b/a U-L MANAGEMENT.

Defendants.

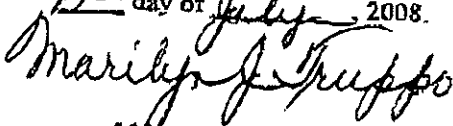
STATE OF NEW YORK X
COUNTY OF KINGS

JOHN TRUPPO, residing in UNION COUNTY, being duly sworn, deposes and states that I am over the age of eighteen years, is not a party to this action, and has personal and firsthand knowledge of all matters stated herein.

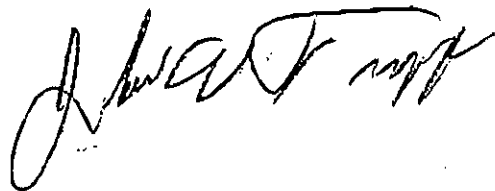
That on the 2ND JULY, 2008, at 10:30 am, I attempted to serve a
X SUMMONS IN A CIVIL ACTION with index#/ date endorsed thereon on
U-L MANAGEMENT, at the defendants' last known place of business located at
20 COMMERCE DRIVE., CRANFORD, NJ 07016
Upon visiting said premises the following transpired:

ON JULY 2ND 2008 AT APPROXIMATELY 10:30 AM, I VISITED THE ABOVE
MENTIONED ADDRESS WHERE I FOUND A MAIL BOX SERVICE ONLY AS THERE IS
NO PHYSICAL PRESENCE IN THE BUILDING. NO FURTHER INFORMATION IS
AVAILABLE.

Sworn to before me this
17TH day of July, 2008.



MYRLYN J. TRUPPO
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 11/5/2009



T-454 P009/016 F-293

7188755577

07-14-'08 16:52 FROM-SAMSERV, INC

07-17-'08 10:49 FROM-SAMSERV, INC

T-471 P008/015 F-329

7188755577

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
 BUILDING SERVICE 32BJ HEALTH FUND, BUILDING
 SERVICE 32BJ LEGAL SERVICE 32BJ THOMAS SHORTMAN
 TRAINING, SCHOLARSHIP AND SAFETY FUND.

Plaintiffs,

Atty : RAAB

Index # 08 CV 5022

AFFIDAVIT OF ATTEMPT

-against-

UNION LABOR MAINTENANCE, INC. and its successors
 And/or its alter egos U-L MANAGEMENT, INC.;
 U-L MANAGEMENT; and John Reed, Michael McCarthy
 And Paul Scarfoss d/b/a U-L MANAGEMENT.

Defendants.

-----X
 STATE OF NEW YORK
 COUNTY OF KINGS

JOHN TRUPPO residing in _UNION_ COUNTY, being duly sworn, deposes and states that I
 am over the age of eighteen years, is not a party to this action, and has personal and firsthand
 knowledge of all matters stated herein.

That on the _2ND_ JULY, 2008, at _10:30_ am, I attempted to serve a
 X SUMMONS IN A CIVIL ACTION _ with index#/_ date endorsed thereon on
 U-L MANAGEMENT, INC., at the defendants' last known place of business located at
 20 COMMERCE DRIVE, CRANFORD, NJ 07016.
 Upon visiting said premises the following transpired:

ON JULY 2ND 2008 AT APPROXIMATELY 10:30 AM, I VISITED THE ABOVE
 MENTIONED ADDRESS WHERE I FOUND A MAIL BOX SERVICE ONLY AS THERE IS
 NO PHYSICAL PRESENCE IN THE BUILDING. NO FURTHER INFORMATION IS
 AVAILABLE.

Sworn to before me this
 17th day of July, 2008.

Marilyn J. Truppo
 MARILYN J. TRUPPO
 NOTARY PUBLIC OF NEW JERSEY
 Commission Expires 11/5/2009

[Signature]

07/15/2008 16:44 9088108613

AMERICAN EXPEDITING

PAGE 11

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKBUILDING SERVICE 32BJ HEALTH FUND, BUILDING
SERVICE 32BJ LEGAL SERVICE 32BJ THOMAS SHORTMAN
TRAINING, SCHOLARSHIP AND SAFETY FUND, -----X

Plaintiffs,

Atty : RAAB
Index # 08 CV 5022
AFFIDAVIT OF ATTEMPT

-against-

UNION LABOR MAINTENANCE, INC. and its successors
And/or its alter egos U-L MANAGEMENT, INC.;
U-L MANAGEMENT; and John Reed, Michael McCarthy
And Paul Searfoss d/b/a U-L MANAGEMENT,

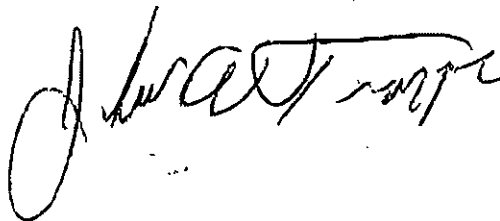
Defendants. -----X

STATE OF NEW YORK
COUNTY OF KINGS

JOHN TRUPPO residing in UNION COUNTY, being duly sworn, deposes and states that I
am over the age of eighteen years, is not a party to this action, and has personal and firsthand
knowledge of all matters stated herein.

That on the 2ND JULY, 2008, at 10:30 am, I attempted to serve a
X SUMMONS IN A CIVIL ACTION with index#/ date endorsed thereon on
UNION LABOR MAINTENANCE, INC., at the defendants' last known place of business located
at 20 COMMERCE DRIVE., CRANFORD, NJ 07016
Upon visiting said premises the following transpired:

ON JULY 2ND 2008 AT APPROXIMATELY 10:30 AM, I VISITED THE ABOVE
MENTIONED ADDRESS WHERE I FOUND A MAIL BOX SERVICE ONLY AS THERE IS
NO PHYSICAL PRESENCE IN THE BUILDING. NO FURTHER INFORMATION IS
AVAILABLE.

Sworn to before me this
14TH day of July, 2008.NOTARY PUBLIC OF NEW JERSEY
Commission Expires 11/5/2009

T-454 P007/016 F-293

7188755577

T-471 P010/015 F-329

7188755577

W-1-14-08 10:52 FROM-SAMSERV, INC

07-17-08 10:50 FROM-SAMSERV, INC

07/15/2008 16:44 9088108613

AMERICAN EXPEDITING

PAGE 02

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BUILDING SERVICE 32BJ HEALTH FUND, BUILDING
SERVICE 32BJ LEGAL SERVICE 32BJ THOMAS SHORTMAN
TRAINING, SCHOLARSHIP AND SAFETY FUND,

Plaintiffs,

Atty : RAAB
Index # 08 CV 5022
AFFIDAVIT OF ATTEMPT

-against-

UNION LABOR MAINTENANCE, INC. and its successors
And/or its alter egos U-L MANAGEMENT, INC.,
U-L MANAGEMENT; and John Reed, Michael McCarthy
And Paul Scarfoss d/b/a U-L MANAGEMENT,

Defendants.

STATE OF NEW YORK
COUNTY OF KINGS

JOHN TRUPPO, residing in UNION COUNTY, being duly sworn, deposes and states that I
am over the age of eighteen years, is not a party to this action, and has personal and firsthand
knowledge of all matters stated herein.

That on the 7TH JULY, 2008, at 11:30 am, I attempted to serve a
X SUMMONS IN A CIVIL ACTION with index#/ date endorsed thereon on
PAUL SEAFOS, at the defendants' last known place of business located at
546 PLAINFIELD AVE., BERKELEY HEIGHTS, NJ 07922.
Upon visiting said premises the following transpired:

ON JULY 7TH 2008 AT APPROXIMATELY 11:30 AM, I VISITED THE ABOVE
MENTIONED ADDRESS WHERE I FOUND THAT THE PROPERTY WAS FOR SALE.
NO FURTHER INFORMATION IS AVAILABLE.

Sworn to before me this
7TH day of July, 2008.

Marilyn J. Truppo

MARILYN J. TRUPPO
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 11/5/2009

John Reed

07/15/2008 16:44 9088108613

AMERICAN EXPEDITING

PAGE 03

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKBUILDING SERVICE 32BJ HEALTH FUND, BUILDING
SERVICE 32BJ LEGAL SERVICE 32BJ THOMAS SHORTMAN
TRAINING, SCHOLARSHIP AND SAFETY FUND, -----X

Plaintiffs,

Any : RAAB
Index # 08 CV 5022
AFFIDAVIT OF ATTEMPT

-against-

UNION LABOR MAINTENANCE, INC. and its successors
And/or its alter egos U-L MANAGEMENT, INC.;
U-L MANAGEMENT; and John Reed, Michael McCarty
And Paul Scarfoss d/b/a U-L MANAGEMENT,

Defendants. -----X

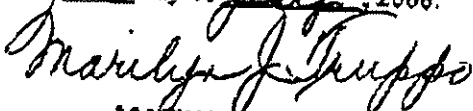
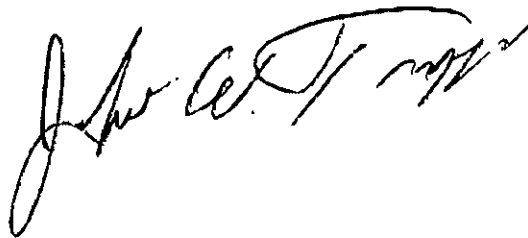
STATE OF NEW YORK
COUNTY OF KINGS

JOHN TRUPPO, residing in UNION COUNTY, being duly sworn, deposes and states that I am over the age of eighteen years, is not a party to this action, and has personal and firsthand knowledge of all matters stated herein.

That on the 7TH JULY, 2008, at 11:30 am, I attempted to serve a
X SUMMONS IN A CIVIL ACTION with index# date endorsed thereon on
JOHN REED, at the defendants' last known place of business located at
546 PLAINFIELD AVE., BERKELEY HEIGHTS, NJ 07922
Upon visiting said premises the following transpired:

ON JULY 7TH 2008 AT APPROXIMATELY 11:30 AM, I VISITED THE ABOVE
MENTIONED ADDRESS WHERE I FOUND THAT THE PROPERTY WAS FOR SALE.
NO FURTHER INFORMATION IS AVAILABLE.

Sworn to before me this
14TH day of July, 2008.

MARILYN J. TRUPPO
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 11/5/2009

T-454 P015/016 F-293

T-471 P002/015 F-329

7188755577

7188755577

FROM-SAMSEBY, INC. 07-17-08 10:49

07-17-08 10:49 FROM-SAMSEBY, INC.

07/15/2008 16:44 9088108613

AMERICAN EXPEDITING

PAGE 04

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BUILDING SERVICE 32BJ HEALTH FUND, BUILDING
SERVICE 32BJ LEGAL SERVICE 32BJ THOMAS SHORTMAN
TRAINING, SCHOLARSHIP AND SAFETY FUND,

Plaintiffs,

Atty: RAAB
Index # 08 CV 5022
AFFIDAVIT OF ATTEMPT

-against-

UNION LABOR MAINTENANCE, INC. and its successors
And/or its alter egos U-L MANAGEMENT, INC.;
U-L MANAGEMENT; and John Reed, Michael McCarthy
And Paul Searfoss d/b/a U-L MANAGEMENT,

Defendants.

STATE OF NEW YORK
COUNTY OF KINGS

JOHN TRUPPO, residing in UNION COUNTY, being duly sworn, deposes and states that I
am over the age of eighteen years, is not a party to this action, and has personal and firsthand
knowledge of all matters stated herein.

That on the 7TH JULY, 2008, at 11:30 am, I attempted to serve a
X SUMMONS IN A CIVIL ACTION with index#/ date endorsed thereon on
U-L MANAGEMENT, at the defendants' last known place of business located at
546 PLAINFIELD AVE., BERKELEY HEIGHTS, NJ 07922.
Upon visiting said premises the following transpired:

ON JULY 7TH 2008 AT APPROXIMATELY 11:30 AM, I VISITED THE ABOVE
MENTIONED ADDRESS WHERE I FOUND THAT THE PROPERTY WAS FOR SALE.
NO FURTHER INFORMATION IS AVAILABLE.

Sworn to before me this
17th day of July, 2008.

Marilyn J. Truppo

MARILYN J. TRUPPO
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 11/5/2009

John Reed

07/15/2008 16:44

9088108613

AMERICAN EXPEDITING

PAGE 05

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BUILDING SERVICE 32BJ HEALTH FUND, BUILDING
SERVICE 32BJ LEGAL SERVICE 32BJ THOMAS SHORTMAN
TRAINING, SCHOLARSHIP AND SAFETY FUND,

Plaintiffs,

Atty: RAAB

Index # 08 CV 5022

AFFIDAVIT OF ATTEMPT

-against-

UNION LABOR MAINTENANCE, INC. and its successors
And/or its alter egos U-L MANAGEMENT, INC.;
U-L MANAGEMENT; and John Reed, Michael McCarthy
And Paul Searfoss d/b/a U-L MANAGEMENT,

Defendants.

STATE OF NEW YORK
COUNTY OF KINGS

JOHN TRUPPO, residing in UNION COUNTY, being duly sworn, deposes and states that I
am over the age of eighteen years, is not a party to this action, and has personal and firsthand
knowledge of all matters stated herein.

That on the 7TH JULY, 2008, at 11:30 am, I attempted to serve a
X SUMMONS IN A CIVIL ACTION with index# / date endorsed thereon on
U-L MANAGEMENT, INC., at the defendants' last known place of business located at 546
PLAINFIELD AVE., BERKELEY HEIGHTS, NJ 07922
Upon visiting said premises the following transpired:

ON JULY 7TH 2008 AT APPROXIMATELY 11:30 AM, I VISITED THE ABOVE
MENTIONED ADDRESS WHERE I FOUND THAT THE PROPERTY WAS FOR SALE.
NO FURTHER INFORMATION IS AVAILABLE.

Sworn to before me this
7TH day of July, 2008.

Marilyn J. Truppo

MARILYN J. TRUPPO
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 11/5/2009

John Truppo

07/15/2008 16:44 9089108613

AMERICAN EXPEDITING

PAGE 06

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKBUILDING SERVICE 32BJ HEALTH FUND, BUILDING
SERVICE 32BJ LEGAL SERVICES 32BJ THOMAS SHORTMAN
TRAINING, SCHOLARSHIP AND SAFETY FUND, X

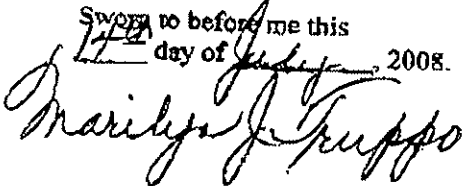
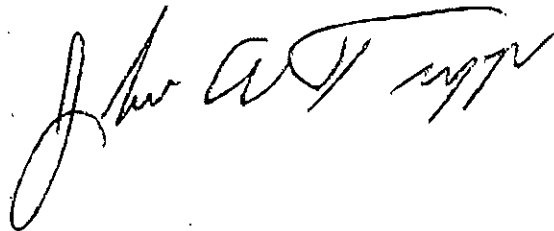
Plaintiffs.

Atty: RAAB
Index # 08 CV 5022
AFFIDAVIT OF ATTEMPT

-against-

UNION LABOR MAINTENANCE, INC. and its successors
And/or its alter egos U-L MANAGEMENT, INC.;
U-L MANAGEMENT; and John Reed, Michael McCarthy
And Paul Searfoss d/b/a U-L MANAGEMENT.

Defendants.

STATE OF NEW YORK X
COUNTY OF KINGSJOHN TRUPPO, residing in UNION COUNTY, being duly sworn, deposes and states that I
am over the age of eighteen years, is not a party to this action, and has personal and firsthand
knowledge of all matters stated herein.That on the 7TH JULY, 2008, at 11:30 am, I attempted to serve a
X SUMMONS IN A CIVIL ACTION with index#/ date endorsed thereon on
UNION LABOR MAINTENANCE, INC., at the defendants' last known place of business located
at 546 PLAINFIELD AVE., BERKELEY HEIGHTS, NJ 07922
Upon visiting said premises the following transpired:ON JULY 7TH 2008 AT APPROXIMATELY 11:30 AM, I VISITED THE ABOVE
MENTIONED ADDRESS WHERE I FOUND THAT THE PROPERTY WAS FOR SALE.
NO FURTHER INFORMATION IS AVAILABLE.Sworn to before me this
17TH day of July, 2008.MARILYN J. TRUPPO
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 11/5/2009

T-454 P012/016 F-293

7188755577

T-471 P005/015 F-329

7188755577

07-17-08 10:49 FROM-SAMSERV, INC

07-17-08 10:49 FROM-SAMSERV, INC

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BUILDING SERVICE 32BJ HEALTH FUND,
BUILDING SERVICE 32BJ LEGAL SERVICES
FUND, BUILDING SERVICE 32BJ THOMAS
SHORTMAN TRAINING, SCHOLARSHIP AND
SAFETY FUND,

Plaintiffs,

-against-

UNION LABOR MAINTENANCE, INC. and its successors
and/or its alter egos U-L MANAGEMENT, INC.;
U-L MANAGEMENT; and John Reed,
Michael McCarthy and Paul Searfoss d/b/a
U-L MANAGEMENT

Defendants.

**AFFIRMATION OF
ATTEMPTED
SERVICE**

08-CV-5022 (JSR)

Ari Ganchrow, residing in Teaneck, New Jersey, under penalty of perjury says, that I am over the age of eighteen years, is not a party to this action and has personal and first hand knowledge of all matters stated herein;

That on the 16th of July, 2008, at 7:00 p.m. I attempted to serve a summons and complaint in the above captioned matter, with index number and date endorsed thereon by leaving copies of the said summons and complaint for Paul Searforce, John Reed, Union Labor Maintenance, Inc., U-L Management, Inc., and John Reed, Paul Searfoss and Michael McCarthy d/b/a/ U-L Management and U-L Management, by leaving sufficient copies of the summons and complaint for each entity and individual at 14 Kenilworth Drive, Short Hills, New Jersey, 07078.

At the time I visited the above mentioned address the property appeared to be a vacant home under construction or renovation.

Dated: Bergen New Jersey
July 18, 2008



Ari Ganchrow

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
BUILDING SERVICE 32BJ HEALTH FUND, :
BUILDING SERVICE 32BJ LEGAL SERVICES :
FUND, BUILDING SERVICE 32BJ THOMAS :
SHORTMAN TRAINING, SCHOLARSHIP AND :
SAFETY FUND, :

Plaintiffs, :

-against- :

UNION LABOR MAINTENANCE, INC. and its successors :
and/or its alter egos U-L MANAGEMENT, INC.; :
U-L MANAGEMENT; and John Reed, :
Michael McCarthy and Paul Searfoss d/b/a :
U-L MANAGEMENT :

Defendants. :
-----X

AFFIDAVIT OF ATTEMPTED
SERVICE

08-CV-5022 (JSR)

State of New York

County of New York

Tara Zamboli, residing in Bronx, New York, being duly sworn, deposes and says, that I am over the age of eighteen years, is not a party to this action and has personal and first hand knowledge of all matters stated herein;

On July 18, 2008, I served a true copy of the summons and complaint, in a sealed envelope, with postage prepaid thereon, in a post-office of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee(s) as indicated below:
UNION LABOR MAINTENANCE, INC.
546 Plainfield Avenue,
Berkeley Heights, New Jersey 07922

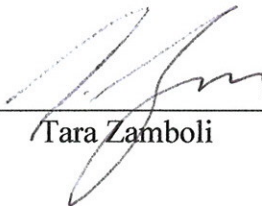
U-L MANAGEMENT, INC.
546 Plainfield Avenue,
Berkeley Heights, New Jersey 07922

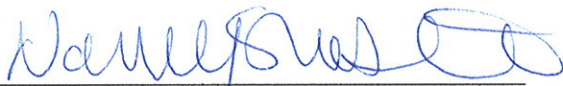
U-L MANAGEMENT
546 Plainfield Avenue,
Berkeley Heights, New Jersey 07922

JOHN REED
546 Plainfield Avenue,
Berkeley Heights, New Jersey 07922

MICHAEL McCARTHY
546 Plainfield Avenue,
Berkeley Heights, New Jersey 07922

PAUL SEARFOSS
546 Plainfield Avenue,
Berkeley Heights, New Jersey 07922



Tara Zamboli

NOTARY

NANCY STRASFELD
Notary Public, State of New York
No. 02ST6129584
Qualified in New York County
Commission Expires June 27, 2009

[Find Homes](#)[Stats & Trends](#)[Advice & Opinions](#)Search **546 Plainfield Avenue, Berkeley Heights NJ 07922**Total views: 68
Last updated 7/16/08**\$479,000**

4 br 2 ba

Single-Family Home

From: www.prudentialnewjersey.comListing Type: **Resale**Status: **For Sale**Year Built: **1925**Lot Size: **0.58 acres**Days on Market: **21 days**

ZIP Code: 07922

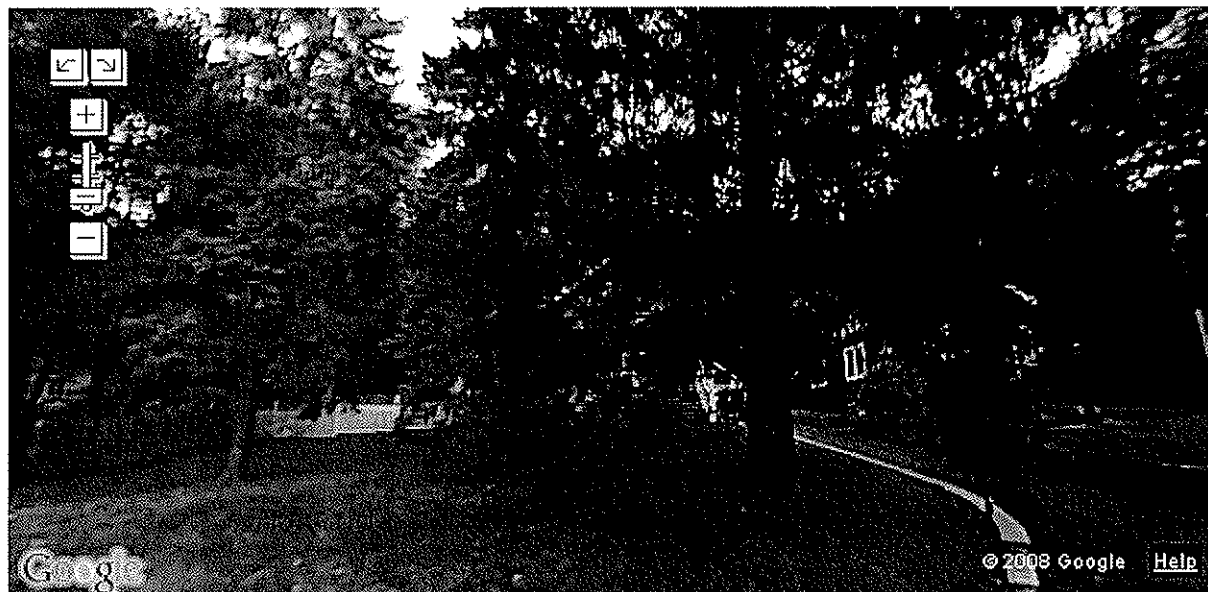
**Open House Times**

Holding an open house? Let us know

Nicely updated colonial with new stainless appliances, new carpeting and freshly painted. Beautiful private yard with over a half acre of property....

Read more at www.prudentialnewjersey.com**Listing Contact**[Learn more](#)Agents -- is this your listing?
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Prudential New Jersey Properties

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546 Plainfield Ave, Berkeley Heights NJ 07922 (Location is approximate)
View Larger Map/Directions

Comparable properties for 546 Plainfield Ave, Berkeley Heights

[View all comparables](#)

Similar homes for sale

[What's a 'comparable'?](#)



403 Park Ave
\$525,000
4 br 1 1/2 ba



11 Hillcrest...
\$570,000
4 br 2 ba



43 Cornell ...
\$575,000
4 br 2 ba



63 Old Farm...
\$500,000
4 br 3 ba



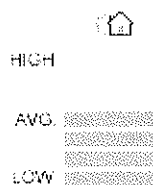
130 Orchard...
\$595,000
4 br 2 1/2 ba



35 Hampton ...
\$549,876
4 br 2 ba

How 546 Plainfield Ave compares to similar homes

[Compare home values](#)



Price relative to similar homes for sale

This home
Listing price: **\$479,000**

Compared to similar homes
Avg. listing price: **\$552,479** -13%

Compared to 07922
Avg. listing price: **\$758,943** -37%

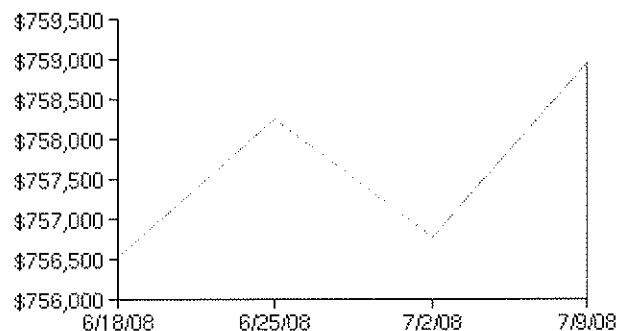
Comparisons are relative to similar homes on Trulia and are intended as a guide only. Home values are affected by many factors—find out more

[Was this info useful?](#)

How 546 Plainfield Ave compares to Berkeley Heights

[More charts & data](#)

Average Listing Price in Berkeley Heights, NJ



This home
Listing price: **\$479,000**

Compared to Berkeley Heights
Avg. listing price: **\$758,943** -37%

[More trends for Berkeley Heights real estate](#)

[Was this info useful?](#)

Berkeley Heights Schools

SCHOOL NAME	SCHOOL TYPE	GRADES	PARENT RATING
Early Chldhd Center - Hamilton Ter	Public	K - 1	
Columbia Middle School	Public	6 - 8	
Mountain Park Elementary School	Public	2 - 5	
Thomas P Hughes Elementary School	Public	2 - 5	
William Woodruff Elementary School	Public	2 - 5	

View all schools in: **Berkeley Heights Public Sd**

Proximity to this address does not guarantee enrollment eligibility. Please contact a local real estate professional for more information

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[Berkeley Heights Homes for Sale](#)
[Berkeley Heights Real Estate Overview](#)

Communities Near 546 Plainfield Ave, Berkeley Heights

Berkeley Heights Real Estate

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[Berkeley Heights Single-Family Real Estate](#)
[07922 Real Estate](#)
[07922 Single-Family Real Estate](#)

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[Heat Map](#)
[New Jersey Home Prices](#)
[Heat Map](#)

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[Recently sold Berkeley Heights homes](#)
[Compare to 546 Plainfield Ave](#)

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Welcome to Trulia. The best place to start your real estate search.

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 - See open houses, local house values, schools and more
 - "Walk the neighborhood" with our local area maps
- The best part—it's all FREE!

Find more homes like this one:

[View all Short Hills homes for sale](#)

14 Kenilworth Drive, Short Hills NJ 07078

Total views: 65
Last updated 7/16/08

\$3,895,000

5 br 6 ba

Single-Family Home

From: www.JillKukoffHomes.com

Listing Type: **Resale**

Status: **For Sale**

ZIP Code: 07078



Open House Times

Holding an open house? Let us know

If you have been looking for something new but with charm and character on an amazing piece of property in Old Short Hills look no further. Once completed this home boasts 5/6 bedrooms and 6 full baths on 1 acre on prime property. Call or e-mail for furt...

Read more at www.JillKukoffHomes.com

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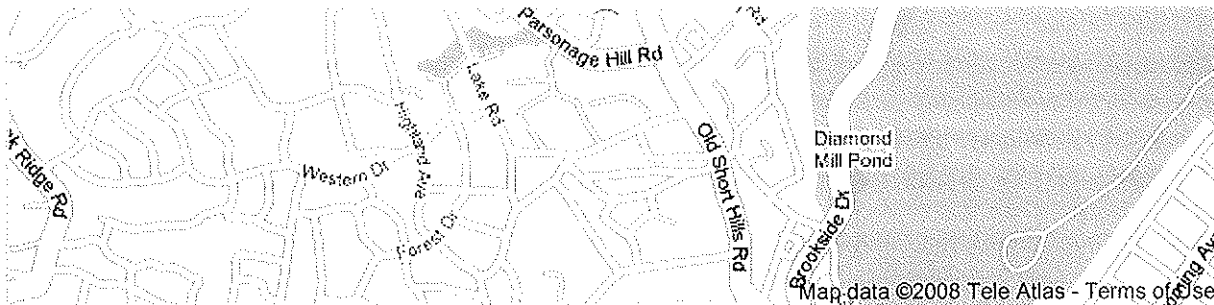
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14 Kenilworth Dr, Short Hills NJ 07078
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Comparable properties for 14 Kenilworth Dr, Short Hills

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Similar homes for sale

[What's a 'comparable'?](#)



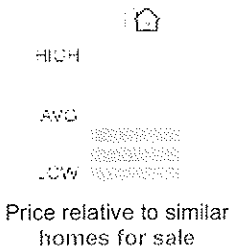
270 Old Sho...
\$4,295,000
 7 br 7 ba



303 Hobart ...
\$4,995,000
 8 br 6 ½ ba

How 14 Kenilworth Dr compares to similar homes

[Compare home values](#)



This home
 Listing price: **\$3,895,000**

Compared to similar homes
 Avg. listing price: **\$4,645,000** -16%

Compared to 07078
 Avg. listing price: **\$2,487,765** +57%

Comparisons are relative to similar homes on Trulia and are intended as a guide only. Home values are affected by many factors—find out more

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How 14 Kenilworth Dr compares to Short Hills

[More charts & data](#)

This home
 Listing price: **\$3,895,000**

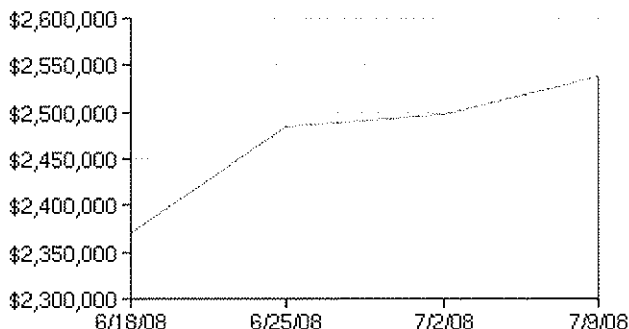
Compared to Short Hills
 Avg. listing price: **\$2,537,934** +53%

[More trends for Short Hills real estate](#)

Average Listing Price in Short Hills, NJ



Was this info useful?



Short Hills Schools

SCHOOL NAME	SCHOOL TYPE	GRADES	PARENT RATING
Winston School	Private		
Far Brook School	Private	PK - 8	
Millburn Middle School	Public	6 - 8	
Deerfield Elementary School	Public	K - 5	
St Rose Of Lima School	Catholic	PK - 8	

View all schools in: **Millburn Township School District**

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07078 Real Estate	Springfield Homes for Sale	Heat Map	Recently sold Short Hills homes
07078 Single-Family Real Estate	Vauxhall Homes for Sale	New Jersey Home Prices Heat Map	Compare to 14 Kenilworth Dr
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	Livingston Homes for Sale		
	See All Nearby Cities		

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
BUILDING SERVICE 32BJ HEALTH FUND,
BUILDING SERVICE 32BJ LEGAL SERVICES
FUND, BUILDING SERVICE 32BJ THOMAS
SHORTMAN TRAINING, SCHOLARSHIP AND
SAFETY FUND,

Plaintiffs,

-against-

UNION LABOR MAINTENANCE, INC. and its successors :
and/or its alter egos U-L MANAGEMENT, INC.; :
U-L MANAGEMENT; and John Reed, :
Michael McCarthy and Paul Searfoss d/b/a :
U-L MANAGEMENT :

Defendants. :
-----X

[Proposed] ORDER
AUTHORIZING ALTERNATE
SERVICE OF PROCESS
08-CV-5022 (JSR)

Plaintiffs, Building Service 32BJ Health Fund, Building Service 32BJ Legal Services Fund and Building Service Thomas Shortman Training, Scholarship and Safety Fund, collectively herein referred to as the "Funds", having moved for leave to serve by alternate service pursuant to Rule 4 of the Federal Rules of Civil Procedure, and good cause having been shown therefore,

IT IS HEREBY ORDERED AND DECREED AS FOLLOWS:

That the Funds may serve process on each defendant by sending a copy of the summons and complaint in this action by electronic mail to the attention of each defendant at electronic mail address: www.ulmanagement.com; by facsimile to each defendant at (908)272-7499; and by mailing copies by regular first class mail and by certified mail return receipt requested to each defendant to 265 Crawford Terrace, Union, New Jersey, 07083; 20 Commerce Drive, Cranford, New Jersey 07016; 546 Plainfield Avenue, Berkeley Heights, New Jersey, 07922; and 14 Kenilworth Drive, Short Hills, New Jersey 07078; and that service be deemed satisfied as of the date following the alternate service.

Dated : this ____ day of ____ 2008

SO ORDERED: _____
United States District Judge

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20 Commerce Drive
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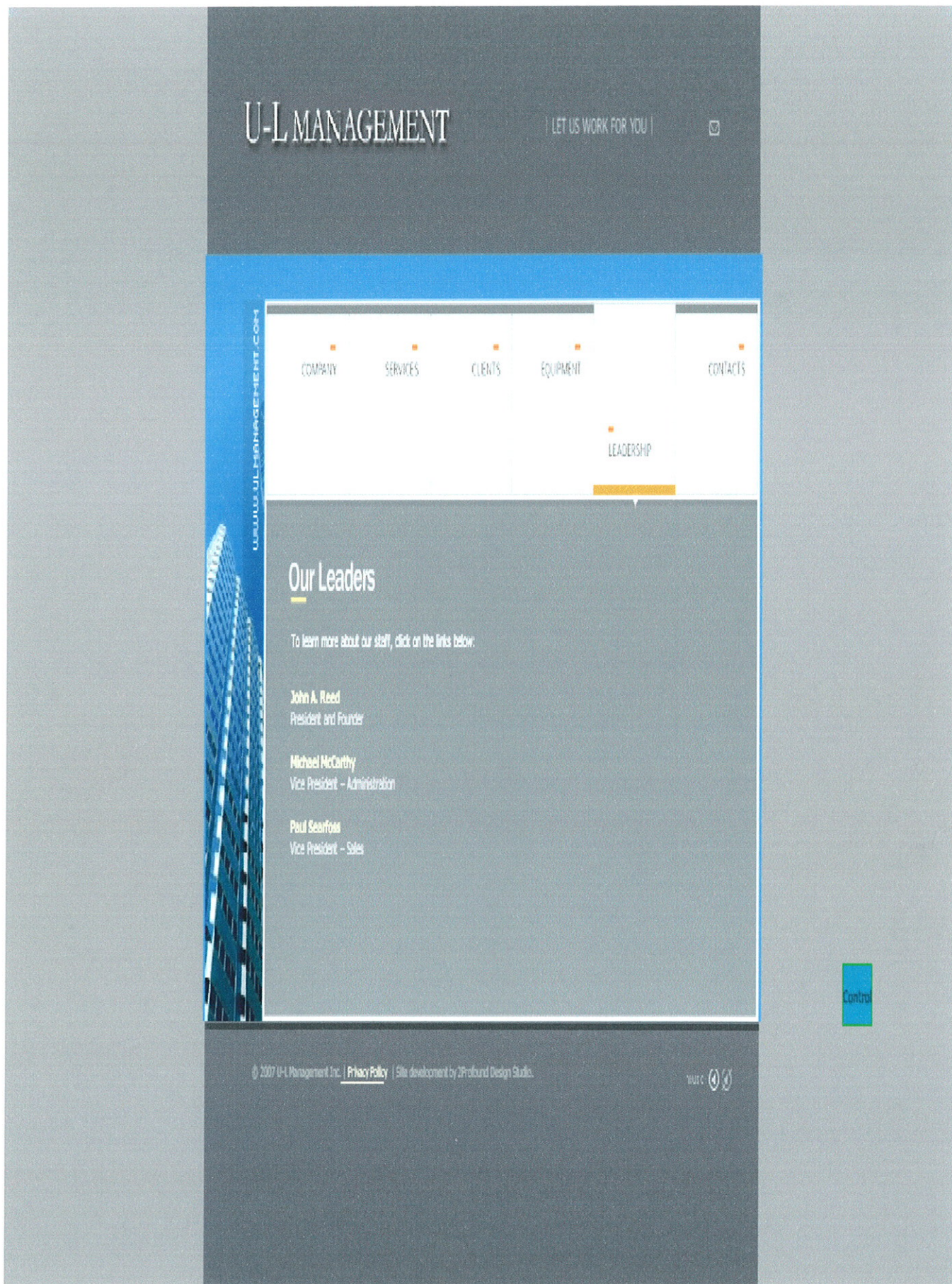


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Our Equipment

U-L Management is fully equipped with a fleet of over 20 vehicles ranging from dump trucks, pick-up trucks, shuttle buses, security vans, and cargo vans. We pride ourselves on making sure all equipment is well maintained and cleaned daily.

The distinguished Union Labor symbol is displayed on all trucks, machinery, containers and employee uniforms.



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Our Services

To learn more about the services we provide, click on the links below.

- .. Building Maintenance
- .. Courier Service
- .. Interior Demolition
- .. Kitchen Cleaning
- .. Landscape Maintenance
- .. Office Cleaning
- .. Shuttle Transportation

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About Us

U-L Management is a full-service provider of labor that meets the demands of businesses throughout the tri-state area. The quality of our work is attested by our strong client relationships and high rate of repeat business. Our staff consists of highly skilled individuals that provide your business with excellent quality and efficient labor services. The company has offices and offsite facilities all throughout New Jersey. The following is a list of services that U-L Management provides:

- Building Maintenance
- Cargo Transportation
- Courier Service
- Interior Demolition
- Kitchen Cleaning
- Landscape Design/Construction
- Landscape Maintenance
- Office Cleaning
- Office Security
- Paving/Concrete Construction
- Shuttle Transportation
- Snow Removal



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Our Clients

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• PSB&G	• The Newark Group	• Bank of America	• RE/MAX Properties	• A.G. Edwards
• Mack-Cali Realty	• Countrywide Mortgage	• National City Mortgage	• Smith Barney	• Canon

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